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January 16, 2026

VIA E-MAIL

United States District Court
Eastern District of New York
Attn: Hon. Peggy Kuo, U.S.M.J.
225 Cadman Plaza East
Courtroom 11C South
Brooklyn, NY 11201-1804

Re: Trustees v. Spray in Place Solutions LLC, *et ano.*
Case No.: 1:24-cv-2568 (KAM) (PK)

Dear Judge Kuo:

This office represents the Defendants in the above-referenced case. Defendants write in accordance with this Court's January 14, 2026 Order to show cause to explain in writing why they failed to comply with deadlines ordered by the Court on October 29, 2025.

As an initial matter, on December 15, 2025, this Court issued an Order requiring the parties to file a further joint status report. Your undersigned was unable to do so because of the court ordered deposition schedule in the unrelated matter of Superb Motors Inc., *et al.* v. Deo, *et al.*; Case No.: 2:23-cv-6188 (JMW), ECF Docket Entry [363](#) and Text Only Order dated December 19, 2025 ("the Court adopts the deposition schedule proposed at ECF No. 363. These deposition dates are final and shall not be changed without leave from the Court"). Specifically, your undersigned was engaged in depositions in the Superb Motors matter on January 5, 7, 8, 9, and 12, such that Defendants were earlier unable to submit the joint status report. Your undersigned informed Plaintiff of this on the morning of January 12, 2026 via email and specifically requested a one (1) week extension of time. While Plaintiffs make representations concerning your undersigned's request, they notably failed to indicate that your undersigned was conducting a deposition, which may have obviated the need for the instant Order to show cause. See Id., ECF Docket Entry [388](#) (discussing the deposition conducted on January 12, 2026). Indeed, the deposition lasted the entire day.

As to explaining why the other aspects of this Court's October 29, 2025 Order were not followed, Defendants respectfully respond as follows. The Defendants were required to make a settlement offer on or before November 25, 2025. Unfortunately, between your undersigned's availability and the principals of the Defendants, we were only able to meet on December 11, 2025 to discuss the case, and regrettably, despite meeting for approximately an hour to review the case, your undersigned was unable to obtain authority for any offer because Plaintiffs' demand seeks contributions for hours that do not consist of "covered work" under the terminated collective bargaining agreement. Notwithstanding the foregoing, your undersigned will conduct another meeting with the principals of the Defendants to discuss this matter once more in an effort to provide a settlement offer as required by this Court's October 29, 2025 Order. The Defendants are not aware of any other deadlines set forth in the October 29, 2025 Order.

The Order to show cause also references an agreed-upon payment which Defendants allegedly have not made. On December 15, 2025, your undersigned received a copy of a check made out to the Plumbers Local Union No. 1 Welfare Fund for the base amount of contributions sought which constitute hours consisting of “covered work” under the terminated collective bargaining agreement. Based on the existence of the check, it is your undersigned’s understanding that the check was mailed out. Defendants further respectfully note there is no court-ordered deadline to make the payment for the agreed-upon amount.

In light of the foregoing circumstances, Defendants respectfully request that Plaintiffs confirm they have not received the check made out to them so that the parties can make arrangements, to the extent necessary, to resend a check and for an extension of time of one (1) week to Friday, January 23, 2026 for Defendants to provide a settlement demand. Defendants respectfully submit that sufficient good cause and excusable neglect have been shown due to the demanding court ordered deposition schedule in the Superb Motors matter which prevented your undersigned from sooner preparing the required joint status letter to this Court. See Fed. R. Civ. P. 6(b)(1)(B).

Defendants thank this Court for its time and attention to this case.

Dated: Jamaica, New York
January 16, 2026

Respectfully submitted,

SAGE LEGAL LLC

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VIA ECF
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